

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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JANINE CARBONE, on behalf of plaintiff and :  
a class, :  
 :  
Plaintiff, : INDEX NO. 15-cv-5190  
 :  
-against- : NOTICE OF MOTION TO DISMISS  
 : PLAINTIFF'S CLASS ACTION  
CALIBER HOME LOANS, INC.; : COMPLAINT  
 :  
Defendants. : ORAL ARGUMENT REQUESTED  
 :  
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To: All Attorneys of Record

**PLEASE TAKE NOTICE** that pursuant to Federal Rule of Civil Procedure 12(b)(6) and upon the accompanying memorandum of law, Defendant Caliber Home Loans, Inc. will move this Court, before Hon. Joanna Seybert, U.S.D.J., at the courthouse, 100 Federal Plaza, Central Islip, NY 11722, for an order dismissing the Complaint in this case for failure to state a claim upon which relief can be granted.

Dated: New York, New York.  
October 12, 2015

Respectfully submitted,  
  
PERKINS COIE LLP

By: /s/ Manny J. Caixeiro

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